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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHANKONG, DOHM

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/996,718	Applicant(s) YU, WON UK	
	Examiner DOHM CHANKONG	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,20,25, and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,20,25 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's request for continued examination. Claims 1, 3, 20, and 25 are amended. Claims 2, 4-16, 18, 19, 23, 24, 26, and 27 are cancelled. Claims 17 and 21 were previously cancelled. Claims 28-31 are added. Accordingly, claims 1, 3, 20, 25, and 28-31 are presented for further examination.

2. This action is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/27/09 has been entered.

Response to Arguments

4. With respect to the rejection of claims 1, 3, 20, 25, and 28-31 under He and Bonnaure, and with respect to the rejection of claims 1, 3, 20, 25, and 28-31 under Bonnaure and Nobakht, Applicant's arguments have been considered but are moot in view of the new ground of rejection which was necessitated by Applicant's amendment.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 20, 28 and 29 are rejected under 35 U.S.C §103(a) as being unpatentable over Ensor et al, U.S. Patent No. 5.721.780 [“Ensor”] in view of Bonnaure et al, U.S Patent No. 5.862.339 [“Bonnaure”].

6. All citations are to Ensor unless otherwise noted.

7. As to claims 1 and 28, Ensor as modified by Bonnaure discloses in an Internet TV capable of Internet access and receiving TV broadcast signals, a method for receiving information from an information service provider [column 1 «lines 7-9» | *Bonnaure*, Figure 2 | Figure 7], the method comprising:

transmitting an authentication request message to an information provider server requesting authentication for receiving information during a first session [Fig. 3 «item 300»];

receiving a message from the server requesting an authentication number [Fig. 3: “Service Bureau queries user terminal for password stored in memory” – Ensor’s password reads on Applicant’s authentication number because it is used to authenticated the user terminal];

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if the authentication number is available in a memory device of the Internet TV [Fig. 3 «item 345»: password is present in the user terminal | *Bonnaure*, Fig. 2: teaching Internet TV], transmitting the authentication number to the information provider server [Fig. 3 «item 345»: transmitting the password to the bureau] so that the information provider server checks validity of the authentication number [Fig. 3 «item 350»], and providing information to the Internet TV for the current session if it is determined that the authentication number is valid [Fig. 3 «item 340»: commencing downloading of requested software if password is valid | *Bonnaure*, Fig. 2];

if the authentication number is not available in the memory device [Fig. 3 «item 320»: password not present at user terminal memory], registering a user with the information provider server [Fig. 3 «items 320, 325»], and receiving a new authentication number to store in the memory device [Fig. 3 «item 325»: transmitting the new password for storage in memory];

receiving information from the information provider server and logging out to complete the first session [Fig. 3 «item 340»];

transmitting the authentication request message to the information provider server requesting authorization for a second session, and, in response to a request from the information provider server, transmitting the authentication number stored in the memory device to the information provider server so that the information provider server checks the validity of the authentication number, and receiving information from the information provider server during the second session [column 2 «lines 39-52» | Fig. 3 : Ensor discloses upon subsequent connections to the network by the user terminal, checking to see if the password is located at the user terminal, validating the user, and repeating the process described in Fig. 3].

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As noted in the claim mapping above, while Ensor does disclose computers, Ensor does not disclose an Internet TV. However, such a feature was well known in the art at the time of Applicant's invention as evidenced by Bonnaure. Both Ensor and Bonnaure are directed to inventions communicating over telecommunication networks [*Ensor*, column 1 «lines 7-9» | *Bonnaure*, column 1 «lines 10-12»]. Both are also directed to an invention that provides a means to authentication a user terminal accessing a service provider.

Bonnaure improves upon Ensor's invention by disclosing the use of Internet TVs. It would have been obvious to one of ordinary skill in the art to have modified Ensor to include Internet TVs. Such a modification is an example of simple substitution of one known element (Bonnaure's internet TV) for another (Ensor's user terminal) to obtain predictable results. *See MPEP § 2143*.

8. As to claims 3, 20 and 29, Ensor as modified by Bonnaure further discloses:

determining if the Internet TV is in a default state [*Bonnaure*, column 12 «lines 5-16» : initial activation of the client box];

requesting the portal server to search for an authentication number corresponding to the Internet TV when the Internet TV is in a default state [*Bonnaure*, Figure 12 «item 1214» | column 8 «lines 44-47»: "Client authentication data 1010 represents information indicating a client network address and a client box identifier | column 9 «lines 27-33: the server searches for the client's network address];

providing the information provider server with user information requested by the information provider server [*Bonnaure*, Fig. 12 «item 1212»]; and

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receiving the authentication number from the information provider server to store in the memory device [Fig. 3 «items 335»].

As noted in the claim mapping, Ensor does not disclose determining whether the TV is in a default state and if so, requesting a server to search for the authentication number. However, such a feature was well known in the art at the time of Applicant's invention as evidenced by Bonnaure.

It would have been obvious to one of ordinary skill in the art to have modified Ensor to include Bonnaure's teachings as discussed above. Such a modification to Ensor's system is an example of using a known technique (Bonnaure's TV default state functionality) to improve similar systems (Ensor's internet access security system) in the same way (Ensor's system improved to include features relating to when the subscriber terminal is in an initial activation state). *See MPEP § 2143.*

9. Claims 25, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ensor and Bonnaure, in further view of Nobakht et al, U.S. Patent No. 6,785,716 [“Nobakht”].

10. As to claims 25 and 30, Ensor as modified by Bonnaure does not disclose that the new authentication number is at least one of a model name, a manufacturing year, or a manufacturing month of the Internet TV. However, such a feature was well known in the art at the time of Applicant's invention as evidenced by Nobakht.

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Like Ensor and Bonnaure, Nobakht discloses an invention related to television devices accessing the Internet and a method for authenticating such access. Unlike Ensor, Nobakht teaches utilizing a manufacturing date as means of authenticating the television.

It would have been obvious to one of ordinary skill in the art to have modified Ensor to include Nobakht's manufacturing date. Because both Ensor's authentication number and Nobakht's manufacturing are used for the same purpose, such a modification to Ensor's system is an example of a simple substitution of one known element for another to obtain predictable results. *See* MPEP § 2143.

11. As to claim 31, Ensor as modified by Bonnaure discloses an Internet TV apparatus [*Bonnaure*, Fig. 3], comprising:

- a display screen configured to display information [column 4 «lines 14-15»];
- a processor configured to perform a plurality of operations [column 4 «lines 8-10»];
- a modem configured to support at least one of a cable connection, an asymmetric digital subscriber line (ADSL) connection, a phone line connection, or a local area network (LAN) connection [column 4 «lines 33-36»] to access a server that provides moving picture services and text information to allow Internet access and reception of television broadcasts [column 4 «lines 20-26»]; television network | *Bonnaure*, Fig. 3]; and

- a memory configured to store information including at least one authentication number that is used to access to the server [Fig. 1 «item 126»], the authentication number including product identification and product manufacturing information of the Internet TV apparatus [*Nobakht*, Figure 3C «item 343» | column 7 «lines 21-24» | column 12 «lines 45-58»], wherein

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the processor, the modem and the memory cooperate to automatically access the server without a user login procedure requiring user interaction via the display screen for user authentication [Fig. 3], such that access to the server is achieved through an access procedure and a re-access procedure, wherein the access procedure comprises:

sending, to the server, an access request message; receiving, from the server, a request for an authentication number; sending, to the server, the requested authentication number retrieved from the memory [Fig. 3 «items 300, 340»: requesting software]; and

receiving, from the server, information that is then decoded and displayed on the display screen if the authentication number results in successful authentication of the Internet TV apparatus [Fig. 3 «items 300-340»]; and

wherein the re-access procedure comprises:

sending, to the server, another access request message; receiving, from the server, another request for an authentication number [column 2 «lines 39-52»: subsequent connections | Fig. 3 «item 300»];

sending, to the server, the same authentication number previously used in the access procedure that resulted in successful authentication of the Internet TV apparatus [Fig. 3 «items 310, 345»: password present at the user terminal]; and

receiving, from the server, information that is then decoded and displayed on the display screen [Fig. 3 «item 340» | column 4 «lines 40-50»].

Ensor as modified by Bonnaure does not expressly disclose that the authentication number includes product identification and product manufacturing information. However, such a feature was well known in the art at the time of Applicant's invention as evidenced by Nobakht.

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Like Ensor and Bonnaure, Nobakht discloses an invention related to television devices accessing the Internet and a method for authenticating such access. Unlike Ensor, Nobakht teaches utilizing product identification and product manufacturing information as means of authenticating the television.

It would have been obvious to one of ordinary skill in the art to have modified Ensor to include Nobakht's authentication number. Because both Ensor's authentication number and Nobakht's authentication number are used for the same purpose, such a modification to Ensor's system is an example of a simple substitution of one known element for another to obtain predictable results. *See* MPEP § 2143.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571.272.3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/
Primary Examiner, Art Unit 2452